



## Senate

General Assembly

**File No. 309**

January Session, 2005

Substitute Senate Bill No. 1032

*Senate, April 13, 2005*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING SPRINKLERS IN EDUCATIONAL OCCUPANCIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 29-315 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) (1) When any building is to be built having more than four  
5 stories and is to be used for human occupancy, such building shall  
6 have an automatic fire extinguishing system approved by the State Fire  
7 Marshal on each floor.

8 (2) When any building is (A) to be built as an educational  
9 occupancy, (B) eligible for a school building project grant pursuant to  
10 chapter 173, and (C) put out to bid on or after July 1, 2004, such  
11 building shall have an automatic fire extinguishing system approved  
12 by the State Fire Marshal on each floor. ["Educational occupancy" shall

13 have] As used in this subsection, "educational occupancy" has the  
 14 same meaning as provided in the Fire Safety Code.

15 (3) The State Fire Marshal or the State Building Inspector may grant  
 16 variations or exemptions from, or approve equivalent or alternate  
 17 compliance with, any provision of the Fire Safety Code or the State  
 18 Building Code, as the case may be, for any municipality with regard to  
 19 a building that complies with the requirement in subdivision (2) of this  
 20 subsection, where strict compliance with any provision of such code  
 21 during the course of a school building project involving the installation  
 22 of an automatic fire extinguishing system would entail practical  
 23 difficulty or unnecessary hardship or is otherwise adjudged  
 24 unwarranted, provided any such variation or exemption or approved  
 25 equivalent or alternate compliance shall, in the opinion of such official,  
 26 secure the public safety. Any such determination by the State Fire  
 27 Marshal or the State Building Inspector shall be in writing. Any person  
 28 aggrieved by any decision of the State Fire Marshal or the State  
 29 Building Inspector may appeal to the Codes and Standards Committee  
 30 no later than fourteen days after issuance of the decision. Any person  
 31 aggrieved by any ruling of the Codes and Standards Committee may  
 32 appeal to the superior court for the judicial district wherein such  
 33 building is located.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	29-315(a)
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**PS**            *Joint Favorable Subst. C/R*

ED

**ED**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Public Safety, Dept.	GF - Cost	Minimal	Minimal
Education, Dept.	GF - Savings	Potential	Potential
Judicial Dept.	GF - None	None	None

Note: GF=General Fund

#### ***Municipal Impact:***

Municipalities	Effect	FY 06 \$	FY 07 \$
Local and Regional School Districts	Savings	Potential	Potential

### ***Explanation***

#### ***State, Local, and Regional School Districts***

This bill results in a potential savings to the state and local and regional school districts as the school districts may not have to install sprinkler systems if an alternative to sprinklers is deemed appropriate by the State Fire Marshall or State Building Inspector. The savings would be the difference in cost between sprinkler installation and the approved alternative. Both the school district and state would accrue a savings due to the cost sharing nature of the school construction grant program.

#### ***Department of Public Safety***

The bill could result in minimal cost to the Department of Public Safety. The number of requests for granting modifications will likely increase, and this will result in additional costs for paper, copying, and postage. The request for granting additional modifications is anticipated to increase workload, and could result in slower turnaround for approval.

***Judicial Department***

It is anticipated that any workload increase to the Judicial Department associated with the bill's appeal process could be accommodated without requiring additional appropriations.

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**OLR Bill Analysis**

sSB 1032

**AN ACT CONCERNING SPRINKLERS IN EDUCATIONAL OCCUPANCIES****SUMMARY:**

By law, each floor of any building project classified as an educational occupancy, eligible for school construction project grants, and put out to bid on or after July 1, 2004 must have an automatic fire extinguishing system approved by the state fire marshal.

When a building complies with these requirements, the bill allows the state fire marshal or state building inspector to grant variations or exemptions from, or approve equivalent or alternate compliance with, any state fire safety or building code provision if strict compliance involving the installation of a fire extinguishing system would entail practical difficulty or unnecessary hardship or is otherwise considered unwarranted. The officials' actions, must, in their opinion, secure the public safety and must be in writing.

Anyone aggrieved by the officials' decisions has 14 days to appeal to the Codes and Standards Committee. Anyone aggrieved by the committee's decision may appeal to the Superior Court.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Educational Occupancies***

The fire safety code defines "educational occupancies" as "all buildings or portions of buildings used for educational purposes through the twelfth grade by six or more persons for four or more hours per day or more than 12 hours per week." They include academies, kindergartens, nursery schools, and schools (NFPA 101 Life Safety Code § 4-1.3, adopted by reference).

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute Change of Reference

Yea 22      Nay 0

Education Committee

Joint Favorable Substitute

Yea 26      Nay 0